

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PAUL GRAY,)
Petitioner,)
v.) Civil Action No. 09-257 Erie
RAYMOND LAWLER, et al.,)
Respondents.)

MEMORANDUM ORDER

This habeas corpus action was received by the Clerk of Court on October 13, 2009 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 24], filed on August 29, 2011, recommended that the petition for a writ of habeas corpus be denied and that a certificate of appealability be denied. The parties were allowed fourteen (14) days from the date of service to file objections and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 22nd day of September, 2011;

IT IS HEREBY ORDERED that the petition for a writ of habeas corpus is DENIED and a certificate of appealability is DENIED.

The Report and Recommendation [ECF No. 24] of Magistrate Judge Baxter, filed on August 29, 2011, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge